P 48E

App. F. IX-4

1929. (VP)

File No. 26-29

Serial Nos. 1, 2, 6, 7, 14, 15, 17, 19, 20, 21, 22, 23, 25, 26, 28, 31, & 32,

Previous References
LB 146-26 (1-6, 10 & 11)
ML 126-28 (20-22)

Later References
Any 7-27 Sh 43.44.88.89.92-10a.10a2.10)
VP 43-32, 4-8.
1928-33 Sl 8, 15, 18, 19
" 28-33 Sl 10, 14, 16, 17, 20, 21
V.P. 32-36 Sl

General and Revenue Secretariat.

Serial Nos. 16

Part B for January 32.

SUBJECT.

Representation from the people of Krishnarajapuram to the Dewan that in view of the very slender finances of the Panchayet, the collection of the local shandy be made over to the Panchayet to enable it to carry out Improvement Works.

Sl 32) The President, Dt Board, Bangalore through the D. C.
" Deputy Commissioner, Bangalore Dt
" Revenue Commissioner
" Comptroller to Govt.

No. L. 4899-4902 of 9-1-32.

Directs, among other observations, that 1/4 of the net collections be made over by the Dt Board to the Village Panchayet of Krishnarajapuram

Papers

U.P. 26-29-1

L89

Office of the Dewan of Mysore,

NOTE.

Camp Chintamani, *Dated* 20th July REV. 1929.

GEN. & SECTT. 390 22 JULY 1929 L. S. G. Branch

General Secretary:

DEWAN'S OFFICE. - 1 JUL 1929 - No. 66.

The people of Krishnarajapuram, (Bangalore District) represented to me this morning that the resources of the Village Panchayet were slender so that it could not undertake any improvements to the village, that, as a matter of fact, the Panchayet was even unable to meet the pay of the three sweepers employed for conservancy work and that the collections of the local shandy might be made over to the Panchayet to enable it to carry out improvement works. The request may be referred for the consideration of the District Board.

DEWAN.

Draft
22.7.29

U.P. 26-29-1

Log

Office of the Dewan of Mysore,

NOTE.

Camp Chintamani, *Dated* 20th July REV. 1929.

GEN. & REV. SECTT. 390 22 JULY 1929 L. S. G. Branch

DEWAN'S OFFICE. 21. JUL. 1929 No. 66

General Secretary:

The people of Krishnarajapuram, (Bangalore District) represented to me this morning that the resources of the Village Panchayet were slender so that it could not undertake any improvements to the village, that, as a matter of fact, the Panchayet was even unable to meet the pay of the three sweepers employed for conservancy work and that the collections of the local shandy might be made over to the Panchayet to enable it to carry out improvement works. The request may be referred for the consideration of the District Board.

DEWAN.

Dept
22.7.29

CD-No. 4 9.10.1929 (3) L 390

General and Revenue Secretariat

File No. 26

App. F. III—2] of 1929

Serial No.

3) Submitted with a draft for approval under the rarely arrangements adopted in cases of shandy collections (Finances)

2-3-7.29

2) Issues order No L 807 dt 29-7-29 to Inspector Bangalore. Forwards the representation of the people of Krishnarajapuram for consideration and to submit their resolution for the orders of Govt.

31/7

4) Memo No C2 N 597 1 29-30 dated 25/9/29 from the Dy Commr Bangalore District, forwarding his No D Dis A 3 283 29-30 dated 24/9/29 of the Inspector Bangalore, stating that it is not possible to pay the collections of the local shandy to the Village Panchayat of Krishnarajapuram

6) Submitted for perusal or orders. The information had been called for under the orders of the Dewan

7.10.29

8) No 146-268 1-6, 10 H1 relating to the subject is put up.

9/10/29

10) Under Jr No A 5341-50-29-3 dt 4/9/29 (Rev A) it is stated that the applicant is willing to pay the assignment of a share of shandy collections of the Govt is put up A

9/10/29

Please put up the file of assignment of shandy collections to V Rs.

Note—Contn. Sheet

WD 01684—GPB—30,000—20-4-29

Serial No.

Collections by the District Board & the Panchayats each case may be considered on its merits accordg to the financial condition of the Dist Bd & the Panchayat concerned.

2) The Minister of the Revenue knows that the Panchayat stands in need of some help. The financial condition of the Bangalore District Bd is sound enough to make them to assign at least a portion of the Entertainment Duty which is an important one to the P. P. He may be asked to consider the matter & assign at least 1/4 or 1/3rd of the Collections, though they may not assign the whole Collection

Secretary)

5/11.

12

13/11

Second member.

13) yes

3/11

5/11.

14) Submits with a draft for approval

15) Put up a draft as revised

6/11/29

7/11

OFFICE OF THE SECOND MEMBER OF COUNCIL
14 OCT. 1929
No. 2153

WD 0168—GPB—30,000—20-4-29

L 1629 4

App. F. III—2]

General and Revenue Secretariat | GP File No. | 26 of 1929

Serial No. 17

Submitted with a revised draft.

8/11/29

18 June

12/11.

7 Letter No. L3604 & 19.11.29 from President, Dist Board of Bangalore.

Requests in the circumstances stated that the Dist Board may be asked to cancel the question and assign at least 1/4 of the Shandy collections and that action taken in the matter may be reported to Govt.

Sec A

7/11/29

14 Letter No. G.L 29221/29-30 dt 15-5-30 from the President, Dist Bd Bangalore Forwards copies of the Resn of the Dist Bd in regard apportionment of a portion of the Shandy Collections of the Krishnarajapura Shandy to the village panchayet.

(9) Kind reference is invited to the Resolution of the Standing Committee of the Dist Bd in the matter which has been approved by the Dist. Bd. Submitted for orders with reference to paras 11 & 13 Supra

5.6.30.

Note—Contn. Sheet

WD 01684—GPB—30,000—20-1-29

Serial No.

20)

The Dt Bd agree with the Standing Committee that a Rural reconstruction fund may be made for each Taluk from the Swaraj receipts. The idea being that the amount should be utilised to as many villages in the Taluk as possible

AS 9/6/30

21) The idea seems to be good & may perhaps be adopted

5826 11/6

(Illegible) 22/6/30

22) Ramaswamy - The proposal is rather too vague. Details as to how the funds is likely to accrue to, who is to administer it, how it is going to distribute over the taluk - all these will have to be considered before sanction is given - although I am all prepared to do so.

RR 17/6/30

For the collr

RR 19/6/30.

JE 4882 & 23/6/30

Fwd by Dist Collr

87 24/6

23) Further information may be obtained from the Bangalore Dt Board on the points referred to above.

L 5/7/30

24

Draft

AS 7/7/30 RR AS 87 25

Issue VS 12.7.30

Note—Contn. Sheet

WH 0168—GPB—30,000—20-4-29

General and Revenue Secretariat. File No. 26 of 1929.

Serial No.	
16	Present Dr Bd Pl Comm. no 2660 Dy 17-7-30. calls for further papers in connection with the proposal
17	Letter no. Pdis C-19-19 Dy 24-11-30. forwards the Board's resolution that the proposal may be dropped as the Rural Health Unit Scheme has to be gradually extended for the whole Dist.
	26. no further action appears necessary about the formation of a Rural Reconstruction Fund. Re the representation of the Kizhuvalliyam Panchayat to the Dewan (para 1 supra) that the collection of the local Shandy may be made over to the Panchayat, the DC&D have declined to comply with the request on the ground that this would create an invidious distinction & propose the formation of a general fund to benefit all villages. Now that the latter proposal is proposed to be dropped it is for orders if any further action is necessary about the transfer of the Kizhuvalliyam Panchayat

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

9-12-30.

8

2957

File No. 26 of 1929

General and Revenue Secretariat

30) Draft enquiring as put up—

6-1-31 31. Issue and re-
8. submit for submission to the Dewan

VS
9.1.31

DEWAN'S OFFICE
No. 502
21 JAN. 1931

Prest of Dist Boards after Q. than Bangalore no L.S. 24.5-5 dy 17.1.31. Enquires if any portion of the Shandy collection had in Panchayets is made over for the benefit of the Panchayets

32 Recorded with reference to para 31 above
Refer. para 28

20.1.31 Dewan)

33 VS
20.1.31

Sec A 20/1

34) 22/1/31
RB
22/1/31
VS

Letter no. C. 504/L-7. 30-31 dated 23.1.31 20.
from the President D.B.D. Chitaldrug, furnishing his opinion

Letter no. L-7-2. C 215/30-31 dated 2/2/31 21
from the President D.B.D. Tumkur, furnishing his opinion in the matter.

Serial No.

27. The Board is not in favor of making over the Shanars' collections at Koilmaraja puram to the Village Panchayet. The Board was in favor of forming a fund for each Taluk from the Shanars' collections and this view has subsequently been given upon

28. Sirkar for perusal with reference to the Diwan's minute dated 20th July 1929 on page 1 of the notes in the file

Law Secy
10.12.30

1st Member
Diwan
through Dist Secy

R2088
Q 13/12/30

OFFICE OF THE Fin. T M... OF COUNCIL
30 DEC. 1930
No. 6570

24706/29
16.12.30

It seems only fair that V.Ps should get a reasonable share of Shanar collections. 1/4 suggested in the Dist Secy's letter was very fair what is being done in other Dists.

NOTE—Contn. Sheet

WD 02553—50,000—GPB—8-7 30

mr RB)

10

L 1351

VP File No. 26 of 1929 | General and Revenue Secretariat

37) The impose DBs are not assigning any portion of the Shandy income to the Panchayats, but the Hassan DB have resolved that it is not fair to apportion any portion of the collections from the Shandies in the Village Panchayat areas, to the concerned Village Panchayats.

38) Submitted with reference to Para 29 Infra

25-9-31. Gen. Secy) VS 26.9.31

GENERAL SECRETARY'S 26 SEP. 1931 No. 1918

39) In view of the slender resources of most of the Boards it is not desirable to lay down a rule that any proportion of the Shandy fees should go to the Panchayats concerned. If the Board in its discretion wants to give a portion of the fees to any particular Panchayat that is of course a different matter. Beyond this no further action is called for in this case

The 6/10.

H Member) VS I am not sure

OFFICE OF THE SECOND MEMBER OF COUNCIL 7 OCT. 1931 No. 1625

General and Revenue Secretariat | G File No. 26 of 1929

Serial No.	
22	Letter no. Dis 568/Lrs 30-31 dated 19/2/31 from the President DBB Mysore furnishing his opinion in the matter.
23	Letter no. L.J. Dis 145/30-31 dated 5/2/31 from the President DBB Kolar furnishing his opinion in the matter
25	Letter no. C387 Lrs 30-31 dated 31/1/31 from the President DBB Shimoga furnishing his opinion in the matter.
26.	Letter no. Lrs 376/30-31 dated 12/3/31 from the President DBB Kadur furnishing his opinion in the matter.
31.	Letter no. Gl 1259-31/ dated 9/9/31 from the President DBB Hassan, furnishing his opinion in the matter.

35) The President DBB Chitaldrug, states that no portion of the Shandy Collections has either been separately assigned or placed at the disposal of the Panchayat Concerned as an out-right grant but such collections are being utilized for the benefit of the Panchayats as circumstances demand, whereas the President of the Shimoga DBB states that the question will have to be considered later on when a Shandy will be established at Soraba Village Panchayat.

36) It is only the Tumkur and Kolar DBBs that are assigning a portion of the Shandy realisations to the Village Panchayats (viz 1/3rd in the Tumkur Dist 1/4 in the Kolar Dist)

NOTE—Contn. Sheet.

C 1357

App. F. III—2]

General and Revenue Secretariat | File No. | of 193

Serial No.

the matter shd be left entirely to the discretion of the Dt Bds Some uniformity of treatment appear also desirable. The ~~regd~~ rights & obligations of the V P S regarding Shandies have also be be scrutinised The file may be repd u.o to the Rev Com^r for his opinion as he is the chief Cont^g authority re l P S

PZ
18/10
Gtn
10/10

M.O.S.B. 41 Forwarded u.o. with Compliments to the Rev. Comm^r. for favour of opinion.

By Order
V Subrahmanyasastri
For Gen. Secy to Govt.
13th Oct. 1931.

H&S
C 1490
31-32

19.OCT.1931
19.OCT.1931

4— Returned with Compliments.
I entirely agree that the claim of the Panchayats for a share in the market Collections cannot be summarily brushed aside. Shandy fees can be realised within the limits of the Panchayats and articles of Consumption in the Villages are remanded more Cautiously. ✓

5 After all the District Boards Govt—

NOTE—Contn. Sheet.

for the Villages and not Vice Versa and it is not clear why they adopt this attitude of antagonism towards Panchayats.

4) Govt have passed orders that each case should be disposed of on its own merits. When a question of division arises but I would suggest that at least a fourth part should be assigned to the Panchayat within whose limits a Shandy is held. When a Panchayat claims more the matter may be referred to the orders of Govt if a settlement by mutual agreement is not possible.

Vide my note in the file on the subject dated 31-8-31

OFFICE OF THE SECOND MEMBER OF COUNCIL 22 OCT. 1931 No. 6952

GENERAL SECRETARY 20 OCT. 1931 No. 8799

I am agreeable

15/10/31
19/OCT/1931

Re

II Member

Low 21/10

5) I agree with the RC. The principle of sharing the Shandy fee in some proportion but the D B & V P has been recognised by Govt & each case has to be dealt with on its merits. Krishnarayapuram is an important road side village & it appears from that they have no funds of their ordinary work I think one fourth of the net collections may well be made over by the D B to this Panchayat

Spdr 11/11

Low 11/11

S

L 1351 13

App. F. III—2]

General and Revenue Secretariat | File No. 26 of 1929.

Serial No.	
46)	Submitted with a draft G.O. for approval 31/11/31 Gen. Secy) 14.11.31 Issue 19/11

GENERAL SECRETARY.
14 NOV. 1931
No. 3312

NOTE—Contn. Sheet

WD 02553—50,000—GPB—8-7 30

14

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Dtro 1351

The orders passed in the V.P. file (26-29-), seem to require further consideration. It is proposed in the order to Veto the resolution of the DBD not to pay any contribution to the Village Panchayat of Krishnarajapuram, out of the Shandi Collections.

2) There does not appear to be any provision in the District Boards Rgn, authorising Government to pass orders in the manner proposed in the file.

3) In the case of the Contribution required of the District Boards in connection with the town hall at Channapatna it was held that the obligation of Govt cannot be defended.

It is Suggested that before

ml 1268-2 d 85 20-22

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

page 2

15

125-1
L & O.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

125
Law.

GENERAL SECRETARY
20 NOV. 1931
No. 3570

orders are issued in this case
the case may be got scrutinized
in the Law Department.

A

Submitted for orders

14/11/31
Gen. Secy) 20.11.31

5). A yes 20/11.

6) Law Deptt) 20.11.31

7) The case of compelling the Dt Bd
to spend its funds for the construction
of a Town Hall at Chemapatna
stands on a slightly different footing;
for it was a case of a Dt Bd being
reqd to spend money for construction
of a building outside its jurisdiction
and consequently against the provision

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Serial No.

of law contained in sec 45 of the Dt B^d Regn. In the case of a Village Panchayat, such a difficulty does not arise, since under sec 4 of the Dt B^d Regn, the area within such a Panchayat is also an area under the authority of the Dt B^d.

125
Law.

4) But apart from this, it is a little bit difficult to see how the Govt order proposed to be issued is legally enforceable against the with the consent of the Dt B^d. In view of sec 35 of the V.P. Regn & sec 74 of the Dt B^d Regn, it is legally competent for a Dt B^d to contribute any sum out of its funds to a Village Panchayat. The making of Such a contribution is not one of the obligatory duties of the Board under sec 45 of the Dt B^d Regn; and the powers vested in Govt under sec 96 cannot therefore be used to coerce the Dt B^d in such a matter.

L.S.G. Br)

Bnp
1/12/31

5) Submitted with my respects.

Gen. Secy)

1/12/31

GENERAL SECRETARY.
2 DEC. 1931
No. 3599

2.12.31

A. Law

10 I have been asked to further examine this case, as to whether the Shandy collections form part of the Dt Fund & whether Govt have not powers to

NOTE—Contn. Sheet

1/12

17

effect some reasonable apportionment of such collections between the Dt Bd and the Village Panchayat

11 Under sec 54 of the Dt Bd Regn, all markets constructed & maintained out of the Dt Funds ~~vide~~ to be deemed to be public markets & such markets cannot be opened by a Dt Bd without the previous sanction of Govt. Under Subsec (2) of the same Section all other markets, whether opened before after the Dt Bd Regn came into force require license from the Dt Bd

12 Section 56 (2) enables fees to be collected for such licences and under sec 57 Cl (g) read with Cl (a), a Dt Bd may frame bye laws fixing rents, fees & other charges to be levied for the use of markets.

13 Section 63 Cl. (3) shows that the collections made in virtue of bye laws above mentioned do go to form the Dt Fund.

14 Since there appears to be no other law under which these Shandy collections are made, I presume that they are made in virtue of the powers vested in the Dt Bd under the Dt Bd Regn If so there seems to be no doubt that the collections form part of the Dt Fund.

Serial No.

15 I do not find any provision in the DC&B Rules which may be said to empower Govt to abstract such charity Collections from the DC&B & the V. Panchayats, except with the consent of the Board. It is a point for consideration whether it is not desirable to have a section in the DC&B Rules similar to sec 79 of the Bombay Local Boards Act, 1923 which compels a DC&B to assign certain portions of some revenues to other local bodies. Even in Bombay however as regards contributions to Village Panchayats the DC&B has been given complete discretion, on the ground that "Since the villagers have a direct representation on the DC Board it was for them to see that they elected their brother members to voice their claims before the DC&B" (Cunningham's Manual page 135)

16 There is however one provision in the DC&B Rules sec 6 (5) which may hereafter be useful in such cases. Under Rules the DC&B's control and administration of markets as of other matters referred to therein, are "subject to such exceptions and conditions as the Govt may from time to time to direct or make

NOTE—Contn. Sheet.

237

File No. of 193 | General and Revenue Secretariat

and impose" If Govt. by means of a suitable order direct the condition that a part of the Shandy collections in a particular Shandy ought to be given over to the V. P. concerned and make the due carrying out of such direction a condition subject to which the D.B. can have control & administration of the particular Shandy, the D.B. would perhaps be obliged to make the contribution demanded on pain of losing control of the said shandy

(Gen Secy) mp 9/12

237/Gen

GENERAL SECRE
9 DEC. 1931
No 6158

17 The question is about the legality of the order proposed to be issued (F.L.) As pointed out above Govt have a means of enforcing that order under Sec 45 So I think the draft order put up may issue

II (Revenue) Gen. 14/12/31

mp 15/12

OFFICE OF THE SECRETARY TO GOVERNMENT
FEB 1931
No 4237

Serial No.

18 The question is whether Government have the power to direct some reasonable apportionment of the shandy collections between the District Board and the Villagg Panchayet. Under Section 45 (1)(c) of the District Boards Regulation, the District Board has to undertake the control and administration of and be responsible for establishment, management, maintenance and visiting of markets. The words in the section are " every District Board shall .... subject to such exceptions and conditions as Government may from time to time may impose ~~under~~ the control and administration of ~~--~~. Government has therefore the power to impose conditions in respect of control and administration of markets ~~upon~~ the District Board. It seems to be within the scope of the section to impose a condition such as that the District Board shall pay a quarter of the collections at a shandy to ~~th~~ Village Panchayet.

19 The terms of ~~xxxxxxx~~ arrangement are in reality conditions. The condition may be the performance of act. A farms out to B certain revenues ~~but~~ subject to B paying a portion of the collections to C. This latter is a condition. A doubt may arise ~~where~~ whether in a section which defines the duties of District Boards conditions may be imposed. Though these are considered as duties they also indicate the correlated rights arising from the obligations imposed. The control and

NOTE – Contn. Sheet

WD 02553—50,000—GPB—8-7 30

24

and administration of markets may in one sense be considered a duty and in another sense a right. But there does not appear to be anything lgally inconsistent in the performance of a duty being subject to certain terms or conditions. Government can well say that the District Board should administer and collect the fees of a market subject to its paying 1/4 of its collections to Government or to any other body as directed by Government. If the District Board declines to undertake such an onerous duty, the reply is that it is bound to undertake the duty under section 45 subject to the condition.

20. Examples or cases of duties subject to conditions are sections 65(4) and 65(8) in the Madras Local Boards Act whereby the management etc of village forests and the protection and maintenance of village irrigation works ~~were~~ may be transferred by Government to village Panchayets subject to conditions.

21 Merely because the District Board was not subject till now to such a condition requiring the contribution out of shandy collection ~~till now~~, it does not follow that the condition cannot be imposed now. According to section 45 the condition may be imposed by Government from time to time.

22 In section 50 of the Bombay Local Boards Act which has been adopted here the words " subject to such ~~xxx~~ exceptions and conditions etc" are not found. Section 79 of that Act directs " Assignment of certain portions of the revenues of the District Board to other local bodies". In section 121 of the Madras Act Government are specifically empowered to direct a local board to contribute towards the expenditure

337/37 p87

15/12 2

App. F. III—2]

General and Revenue Secretariat | YP File No. 1 of 193

Serial No.

expenditure of any other Local board. No doubt a specific clause giving such a power as in the Madras or the Bombay Act would be desirable. But still the wording of section 45 will bear the construction that Government has power to impose a condition apportioning shandy collections between a District Board and a Village Panchayet in vesting the control and administration of the shandy in the District Board. If a District Board fails to perform the duty subject to such a condition, Government can take action under section 96.

Second Member)
23 Examined
6.1.32

6/1/1932

OFFICE OF THE SECOND MEMBER OF COUNCIL
6 JAN 1932
No. 5407

TYPING SECTION
7. JAN 1932
GEN'L &

32 Issued Govt 4899-4902 dy 9/1/32
Present DBD Bangalore, DC Bangalore, Rev Commr. Kanara. Direct that one-fourth cess collection be made over by the District Board to the Village Panchayet of Krishnarajapuram

7/1

18/1

NOTE—Contn. Sheet

Appendix F G—1

123

SUBJECT.....

.....

.....

Section UG

File No. 26-29

Serial No. 2

No. L 807

Diary No. of letter replied to..... L 390 .....

General and Revenue Secretariat

(UG)

the *192*

To

The President DSB Bangalore

(thro' the DC Bangalore)

Date of issue..... 29-7-29

Sir.

Signed by ..... M.D. Sullivan

I am directed to ~~forward~~ ~~for consideration~~ ~~the District Board~~ herewith a copy of the ~~Inconvenience~~ representation made to the Dewan by the people of Krishnarajapuram, Bangalore HK ~~praying~~ that in view of the very slender financial position of the Panchayat, the collections of the local shanoy might be made over to the Panchayat to enable it to carry out improvements to Works; and to request you to place the matter before the Board for their consideration and submit their resolution over

List of enclosures.....

Copied by.....

Examined by.....

WD 0399—GPB—20,000—18-9-28

for Chief Secretary to Govt

for Secretary to Govt

88

23.7.29

OFFICE OF THE PRESIDENT.
BANGALORE DISTRICT BOARD,

No. D.Dis.A.32-53/29-30
Enc. one.

Bangalore 21st September 192 9

From

B. ABDUR RAHMON ESQ., B.A.,
PRESIDENT, DISTRICT BOARD,
BANGALORE.

GEN. & REV. SECTT. 1629 SEPT. 1929

VP. 26-29-6 L. S. G. BRANCH.

To

B. Narayanaswamy Iyengar Esqr, B. A., B. L.,
General Secretary to Government,
BANGALORE.

Through:-
The Deputy Commissioner, Bangalore District.

SIR,

DEPUTY COMMISSIONER'S OFFICE 25 SEPT. 1929 6284 BANGALORE DIST.

Giving away the collections of Krishnarajapur Shanay to the Village Panchayet.

==========

With reference to your letter No.L.80/V.P. 26-29-2 dated 29th July 1929, I have the honour to inform that the Board at their last meeting resolved that it is not possible to pay the collections of the local shandy to the Village Panchayet of Krishnarajapur. A copy of their resolution dated 31st August 1929, is herewith enclosed for favour of perusal.

I have the honour to be,
S i r,
Your most obedient servant,

B. Rahmon

P r e s i d e n t,
District Board.

Deputy Commissioner,
Bangalore District.

Forwarded with compliments vide his endorsement dated 25.9.1929
C.R. 597/29.30. E. one.

25

Proceedings of the 9th Ordinary Meeting of the Bangalore District Board, held on 31st August 1929 at Sangama.

29. Letter No.L.807/V.P.26-29-2 dated 29th July 1929 from the General Secretary to Government asking the opinion of the Board for giving away the collections of the local shandy at Krishnarajapur to the Village Panchayet.

Resolution:- Not possible.

Sd- B. Abdur Rahmon,

President,
District Board.

" C o p y "

B A Rahmon

President,
District Board.

Appendix F G—1

26

SUBJECT.....

.....

.....

Section VS

File No. 26 - 29

Serial No. 7

No. L 3604

Diary No. of letter replied to..... L 1629

General and Revenue Secretariat

(VS.)

the *192*

To

The President DBD Bangalore

(thro the DC Bangalore)

Date of issue..... 19-11-29

Signed by ..... M V R S Iyer

Sir

With reference to your letter no D. Dis A 32-53/29-30 dated 21/24 th sept 1929 stating that the DBD have resolved that it is not possible to pay the Collection gone local Shanoy at Krishnarajpet to the Village Panchayet. I am directed to invite your attention to Lyp. no L 5341-58 VS 50-27-3 dated 6-2-1929 passing orders in regard to the apportionment of Shanoy collections between

List of enclosures.....

Copied by.....

Examined by.....

over

Village Panchayats and Dist Boards.
will be seen therefrom that the
dominant idea was that there
o be no objection to Dist Boards
ng a share of their income
n shandies and that a portion
y will be assigned according
the merits of each case. The
ancial condition of the Bangalore
d is sound enough to enable
m to assign at least a
tion of the collections of the
shmanajjan shanoy. ~~which is~~
~~important one~~ to the
age Panchayat. The Dist Board
y therefore be asked to consider
question and assign at
st 1/4th the shanoy collections.
tion taken in the ~~Board's~~ matter
y be reported for the information
Government

~~For~~ I have etc

Sd/-

for General Secy to Govt

~~Sd~~
8/11

V.P.26-29-14

OFFICE OF THE PRESIDENT.
BANGALORE DISTRICT BOARD,

No. Gl. 2922/29-30.
Enc. 1.

Bangalore 15th May 1930.

From

B. ABDUR RAHMON ESQ., B.A.,
PRESIDENT, DISTRICT BOARD,
BANGALORE.

30 MAY 1930
L. S.-G. BRANCH.

To

R. Ranga Rao Esqr, B. A., B. L.,
General Secretary to Government,
Bangalore.

Through:-
The Deputy Commissioner, Bangalore District.

SIR,

With reference to your letter No. L. 3604/V.P.26-29-7 dated 19th November 1929 regarding the apportionment of a portion of the shandy collections of the Krishnarajapur shandy for the Village Panchayet, I have the honour to state that the matter came up before the Standing Committee at their meeting held on 28th March 1930. The Committee resolved that this suggestion would create an invidious distinction, especially as these shandies centres profit at the expense of many other villages and Unions. Instead A Rural Reconstruction Fund may be made for each Taluk from these funds.

2. The Board have approved of the same with the idea that this amount realised from the Shandies may be useful not only to any particular village but also to as many villages as possible in that Taluk as the realisation of shandies is not confined to one village only.

3. A copy of their resolution in the matter is enclosed herewith.

I have the honour to be,
Sir,
Your most obedient servant,

B. A. Rahmon

President,
District Board.

Proceedings of the Eleventh Ordinary Meeting of the Bangalore District Board, Bangalore held on 29th day of March 1930.

3. Letter No. L. 3604-V.P.26-29-7, dated 9th November 1929, from the General Secretary to Governmen suggesting that at least ¼ of the Shandy collections of the Krishnarajapur shandy may be assigned to the Village Panchayet and inviting the resolution of the Board in this behalf.

Resolution of the Standing Committee:- This suggestion would create an invidious distinction, especially as these shandies centres profit at the expense of many other villages and Unions. Instead a Rural Reconstruction Fund may be made for each Taluk from these funds.

RESOLUTION:- A p p r o v e d.

Sd/- B. Abdur Rahmon,
P r e s i d e n t,
District Board.

"C o p y"
B A Rahmon
President, District Board,
Bangalore District.

29

Appendix F G—1

SUBJECT .....

.....

.....

Section VP

File No. 26-29

Serial No. 15

No. 610

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193*

Date of issue 17/2/30

Signed by Mr VS Sastri

To

The Dist Mag Bijapur

The D.C Bijapur

Sir

With reference to your letter No. GL 2922 D. 15-5-30 about the formation of a Rural Reconstruction Fund for each Taluk out of the Stamp collections in the Taluk I am directed to observe that the proposal to request and to request the

List of enclosures .....

Copied by .....

Examined by .....

over

[illegible] information may be
furnished on the following
points:-
1. How much the fund
is likely to amount to
2. Who is to administer it and
how it is intended to be
distributed over the Island.

I have etc
12.7.30
for Secretary

U. P. 26-29-RT-V/17 SECT 24

OFFICE OF THE PRESIDENT,
BANGALORE DISTRICT BOARD.
L. S. G. BRANCH.

No. L. Dis. C. 19-45/30-31. Bangalore 20th November 1930.

From

V. VENKATAPPA, Esq.,
President, District Board,
Bangalore.

DEPUTY COMMISSIONER'S OFFICE
25 NOV 1930
No. 9063
BANGALORE DIST.

OFFICE OF THE PRESIDENT
DISTRICT BOARD
3755
3 DEC. 1930
BANGALORE

To

R. Ranga Rao Esqr, B. A., B. L.,
General Secretary to Government,
Bangalore.

Through:-

The Deputy Commissioner, Bangalore District.

Sir,

With reference to your letter No. L. 610/V. P. 26-29-15 dated 17th July 1930 calling for further details regarding the formation of a Rural Reconstruction Fund for each Taluk, I have the honour to state that the matter was considered by the Health Committee at their meeting held on the 17th October 1930 when it was resolved that in the face of the Rural Health Unit Scheme which has to be extended gradually for the whole District, this might be dropped.

2. The Board have also approved of the Committee's resolution. A copy of the Board's resolution in the matter is enclosed herewith for favour of information.

I have the honour to be,
Sir,
Your most obedient servant,

V. Venkatappa

President,
District Board.

23

PROCEEDINGS OF THE ADJOURNED MEETING OF THE BANGALORE DISTRICT BOARD HELD ON 18TH OCTOBER 1930.

Letter No. L. 610/ V. P. 26-29-15 dated 17th July 1930 from the General Secretary to Government, calling for detailed information regarding the formation of a Rural reconstruction Fund for each Taluk out of the Shandy Collection in the Taluk.

RESOLUTION:OF THE HEALTH COMMITTEE:- Vide No. 13

RESOLUTION:- Vide Resolution No. 13.

Sd/- H. R. Guruv Reddy,
Vice President,
District Board.

"C o p y"

V. Venkatappa

P r e s i d e n t,
District Board.

34

Appendix F G—1

SUBJECT.....

.....

.....

Section MP

File No. 26-29

Serial No. 19

No. L 5-745-51

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 17/1/31

Signed by Mr. V. S. Sastri

To

The President of the Board
except Bihar and Orissa
(By Express)
Sir

I am directed to request you to be good as to state whether any portion of the collections made in ~~D~~ Shandara on your Dist. Bd. on account of pilgrim enhancement cess, is made over for the benefit of the Municipalities concerned

I have etc

V.S. 9.1.31

9/1 Telegram

List of enclosures.....

Copied by 17/1/31

Examined by.....

WD 02559—GPB—25,000—25-6-30

furnished in the margin.

I have the honor to be,
Sir,
Your most obedient servant,

President.

No. 4c5A6169/3031 Dated 25.1.31

Forwarded with Compliments.

Deputy Commissioner,
Chitladrug District.

36

Taluk.	Name or place of shandy.	Contract amount for 1930-31	Expenditure incurred	Remarks
1. Chitaldrug	1. Bharamsagara	Rs 845	-	For constructing compound wall to the shandy ground at
			255	
2. Hiriyur	2. Chikkondanhalli		156	do
	1. Aimangala	300	---	Aimangala
		1,360	411	Gate Pillar at Aimangala

			1,360	For sinking a well in the shandy ground at Dummi.
4. Holalkere	1. Dummi	2,060	375	For constructing a culvert across a check drain in the shandy maidan at Dummi.

	Total Rs		1,735	

Taluk.	Name or place of shandy.	Contract amount for 1930-31	Expenditure incurred	Remarks
1. Chitaldrug	1. Bharamsagara	Rs 845	-	
	2. Chikkondanhalli	300	-	
2. Hiriyur	1. Aimangala	1,360	Rs 255	For constructing compound wall to the shandy ground at Aimangala
			156	do Gate Pillar at Aimangala
			411	
4. Holalkere	1. Dummi	2,060	1,360	For sinking a well in the shandy ground at Dummi.
			375	For constructing a culvert across a check drain in the shandy maidan at Dummi.
		Total Rs	1,735	

furnished in the margin.

I have the honor to be,
Sir,
Your most obedient servant,

President.

No. 4C.2469 Dated 25.1.31

Forwarded with Compliments.

Deputy Commissioner,
Chitladrug District.

vp 26-29-320.

In all future correspondence please quote
No. C 504 L.7.30-31
ENCLS. ....

OFFICE OF THE PRESIDENT, DISTRICT BOARD,
Chitaldrug, dated 23rd Jany. *193* 1.

GEN & REV 3776 CTT.
28 JAN. 1931
L. S. G. BRANCH

FROM

G. CHANNAPPA, ESQ., B.A., LL.B.,
PRESIDENT, DISTRICT BOARD,
CHITALDRUG DISTRICT.

To

DEPUTY COMMISSIONER'S OFFIC.
CHITALDRUG
JAN 25 1931
No. 6169

R. Ranga Rao, Esq., B.A., B.L.,
GENERAL SECRETARY TO THE GOVT. OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
BANGALORE.

(Through the Deputy Commissioner, Chitaldrug District.)

Sir,

With reference to your letter No. L. 5745-51/V.P. 26-29-19 dated 17th January 1931 enquiring whether any portion of the collections made in shandies held in village panchayat areas is made over for the benefit of the panchayats concerned, I have the honor to state that no portion of collection has either been separately assigned or placed at the disposal of the panchayat concerned as an out-right grant.

However, such collections are being utilised for the benefit of the panchayat concerned as circumstances demand.

In this connection, I may state that there are four shandies in this District under the control of the District Board at which market fees are levied and the amount of expenditure incurred for District Funds for giving additional facilities to these centres

are

OFFICE OF THE PRESIDENT, DISTRICT BOARD,
TUMKUR DISTRICT,

Dated, Tumkur, the 2nd February *1931.*

V. SECTT. 3941

L. S. G. BRANCH.

From

D. S. MALLAPPA, ESQ., M.L.C.,
PRESIDENT, DISTRICT BOARD,
TUMKUR DISTRICT, TUMKUR.

To

R. RANGA RAO, ESQ., B.A., B.L.,
GENERAL SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
BANGALORE.

OFFICE OF THE DEPUTY COMMISSIONER. No. C 240 1931 TUMKUR DISTRICT.

Through

THE DEPUTY COMMISSIONER,
TUMKUR DISTRICT, TUMKUR.

Sir,

With reference to your letter No. L. 5745-51/V.P.26-29-19 dated 17th January 1931, requesting me to intimate whether any portion of the collections made in shandies, held in Village Panchayet areas, is made over for the benefit of the Panchayets concerned, I have the honour to state that collections made in Hebbur and Mayasandra shandies of this District are being distributed as noted below.

1/3 to District Board Funds.
2/3 to Village Panchayet Funds.

I have the honour to be,

s i r,

your most obedient servant,

D S Mallappa

President, District Board,
Tumkur District.

ASD.

Forwarded with Compliments.

4-2-31 Deputy Commissioner
for Tumkur D-t

VP 26-29-22

Office of the President, District Board,
Mysore District,

No. D2. Di:568 L.N. /30-31. *Mysore 19th February* 31.

From

B. S. PUTTASWAMY, ESQ., B.A., B.L.,
PRESIDENT, DISTRICT BOARD,
MYSORE.

To

R. RAMA RAO, Esq., B.A., I.C.S.,
General Secretary to the Government of
H. H. the Maharaja of Mysore, Bangalore.

THROUGH THE DEPUTY COMMISSIONER, MYSORE DISTRICT.

Sir,

Re: **Shandy collections:**

With reference to your letter No.L.5745 V.P. 26-29-19 dated 17th January 1931, I have the honor to inform you that no portion of the collections made in shandies is given to Village Panchayets in the District.

I have the honor to be,

Sir,

Your most obedient servant,

B S Puttaswamy

President,

District Board, Mysore.

OFFICE OF THE DEPUTY COMMISSIONER, No 32947 19. FEB. 1931 MYSORE DISTRICT.

D3-2753/30

YSK/HV

Forwarded with Compliments

Sr Channamma
Deputy Commissioner
Mysore District.

UP 26-29-23

Q2 Dis 145/30-31

39

Office of the President District Board Kolar,

Dated Kolar the 5th. February 1931.

From

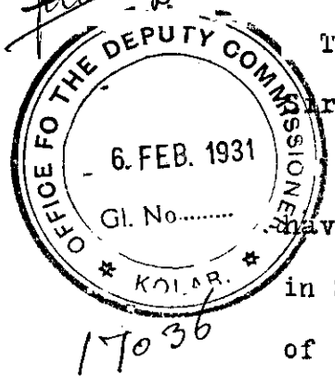
The President,
District Board Kolar.

L 4316

To

The Secretary,
To the Government of Mysore,
General and Revenue Department, Bangalore.

Through The Deputy Commissioner Kolar)



1-A5

1-7036

Sir,

With reference to your letter No. L.5845-51 dated 17-1-31. I have the honour to state that 1/4 of the amount realised annually in Sandies situated in the Panchayats is made over for the benefit of the Panchayets concerned.

I have the honour to be
S i r,
Your Most Obedient Servant

President,
District Board Kolar.

L 5349/30-31.

Forwarded with Compliments

Deputy Commissioner,
Kolar District

RR

VP 26-29-25

No. C.387 & B30-31
Encs.

OFFICE OF THE PRESIDENT, DISTRICT BOARD,
Shimoga District.

Dated, Shimoga 31st January 193 1.

From

H. SIDDAIYA, ESQ., B. A., LL. B.,
President, District Board,
Shimoga.

To

R. Ranga Rao, Esq., B.A., B.L.,
General Secretary to the Government of
Mysore, B A N G A L O R E.
Through the Deputy Commissioner, Shimoga District.

Sir,

With reference to your No: L. 5745-51/V.P. 26-29-19, dated 17th January 1931, enquiring whether any portion of the collections made in Shandies in this District, held in the Village Panchayet areas, is made over for the benefit of the Panchayets concerned, I have the honour to reply in the negative. In this connection, I beg to submit that Government in their Order No: L. 5057-59/L.B. 58-28-22, dated 28th/30th January 1929, have sanctioned the holding of the Shandy at Soratur on every Monday in Honnali Taluk with the observation that when fees are levied 50 per cent of the collections will be assigned by the District Board to the Local Village Panchayet. In the mean while on account of plague, no shandy was held as per orders. The Amildar in submitting the resolution of the Panchayet recommended that the holding of the shandy may be deferred. The proposal was approved by the District Board at their meeting held on 28th July 1930. The subject will be taken up again at the next meeting, and if the shandy is held and if fees are levied this will be the only shandy where a portion of the collection made will be made over for the benefit of the Panchayet concerned later on.

I have the honour to be,
Sir,
Your most obedient servant,
H Siddaiya
President,
District Board, Shimoga.

P.R. 125
6-2-31
VPE
CEPU
8949

Dep.

No. N. 8/30 V. P.G. 1596/30-31

Memo

L 4438

Forwarded with compliments.

(1)

mr BSS

F. 4/3136

N. Macnamara

for Deputy-Commissioner

Rly. 17/3/31 Stenographic

E.J. & REV. CTT

VP 26-29-26

42

No. L. B. 376/30.31

OFFICE OF THE PRESIDENT,
Kadur District Board,

2771

Dated Chickmagalur 11th March 193 1

72

From

HOSAKOPPA KRISHNA RAO, Esquire,
President, District Board,
Kadur District,
CHICKMAGALUR.

SEN & REV 4473

L. S. G. BRANCH

To

R. Ranga Rao, Esquire., B.A., B.L.,
General Secretary to Government of Mysore,
BANGALORE

AB

Through

The Deputy Commissioner,
Kadur District, CHICKMAGALUR.

Sir,

With reference to your letter No. L. 5745-51/V.P. 26-29-19 of the 17th January 1931 enquiring whether any portion of the shandy realisations in this District have been assigned to the benefit of the Panchayets concerned, I have the honour to state that the District Board have assigned a moiety of the collections realized in the -- shandies held within the Panchayet areas for the benefit of the respective Panchayets with the sanction of Government in each case.

Keresandra the Pura. Sakrepatna.

I have the honour to be,

Sir,

Your most obedient servant,

President,

Kadur District Board.

LSG

Rs. 18641

17/3

A3-2970-30
5-84

N.R.

Forwarded with compliments.

Deputy Commissioner,
Kadur District.

55

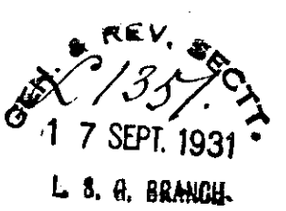
A5 17 13132

347

~~VB 28-2100~~ 43

VP 26-29-31

No. 1259-31 Office of the President, District Board, Hassan, Dated 8th September 31.



From

H.B.Gundappa,Esq., B.A., B.L.,
President, District Board, Hassan.

To

H.V.Ramaswami, Esq., M.A., B.L.,
General Secretary to the Government of His
Highness the Maharaja of Mysore,
B a n g a l o r e.

2942.

Through the Deputy Commissioner, Hassan District.

Sir,

With reference to your No.L.5745-51/V.P.26-29-19, dated 17th Jany.31, requesting me to intimate whether any portion of the collections made in shandies in this District, held in Village Panchayet areas, is made over to the benefit of the Panchayets concerned etc., I have the honor to state that all the shandies in the District wherein fees were being levied prior to the introduction of the new District Board and Village Panchayet Regulations,were under the control of the defunct Taluk Boards but their services and commitments have been made over to the Distfict Boards that where constituted afresh as per new District Board Regulation. As a - - consequence of this, the revenues derived from these old - shandies were got credited to District Funds as in the case of other assets vide G.O.No.3059-124/L.B. 25-26-14, dated 12th November 1926 and no apportionment of this income was therefore made to the Village Panchayets constituted under the new - - Regulation, irrespective of the fact that they were either within the Village Panchayet area or not.

Under section 45 (1) of the new District Board Regulation

44

the control, administration, establishment, management, maintenance and visiting of markets vest in the District Boards, and the Boards are therefore, responsible for these matters within the area subject to their authority. Sub section (f) of the same section provides that measures necessary for the public health, sanitation and other local services affecting villages under different Panchayets and control of and sanitation during jatras or fairs and festivals, should be adopted by the District Boards. Sub Section (n) of the very same section also provides that any other local works or measures likely to promote the health, safety, comfort, convenience, interest or welfare of the public in the District should be undertaken by the District Boards. Section 54 of the new District Board Regulation also goes to show that the public markets maintained out of District Funds are District Board institutions. Further it can be clearly inferred from clause (d) of section 45 (1) of the new District Board Regulation, that such places which serve the common purpose of more than one village Panchayet should be managed by the District Board.

No where in the Village Panchayet Regulation, it is stated that the income from the shandies should be credited to Village Panchayet Funds nor they should be managed by the Village Panchayets. The very idea of establishing Village Panchayets was to make them independent units and that common interest should be administered by District Boards.

It is therefore, clear that the income from the shandies should be the sole property of the District Boards and not of the Village Panchayets.

With this idea in view, this District Board resolved as follows at their meeting held on 29th and 30th October 1927, on a similar reference received from the Government in General

45

Secretary's letter No.L.C.18-25/L.B. 146-26, dated 13th June 27 (vide Resolution No.7, dated 29th and 30th Octr. 1927):-

> Resolution of the standing committee:- "The Shandies in the District requires to be provided with conveniences such as stalls, shades, wells, drains etc., and the District Board has already provided a sum of Rs 6000/ in the current year's budget for the improvement of shandy grounds and for affording requisite conveniences. The Village Panchayets are still in their infancy and it takes time before they can come to a good working order. They are not now in a position to provide facilities for the shandies. The roads leading to the shandies also require to be maintained by the Board. It is not easy to distinguish the cases of different shandies from one another and therefore it is neither possible nor desirable to assign these revenues to the Village Panchayets at present".
>
> Resolution. The standing committee resolution is approved.

As has been observed by the Third Member during his inspection of this District Board Office ~~in~~ February last. the District Board is unable to meet its heavy commitments which is mainly due to the fact that a huge source of annual income of the Board by way of Rural mohatarfa to the extent of Rs ~~40~~ 30 to ~~45~~ 35 thousands was taken away and handed over to the new Village Panchayets, as per G.O.No.2500-14/L.B. 26-25-40, dated 5th October 1926, besides the income that was being derived from cattle pounds etc., whereas the commitments of the Board, by way of medical and Veterinary aid and improvement of communications and bridges, stand at high figures. Now that the Village Panchayets have actually levied taxes under the Village Panchayet Regulation a separate reference is being made to give credit of the said mohatarfa to District Funds, as promised by the Government in the above said order.

46

It is ~~said~~ learnt that the majority of the new Village Panchayets have not been making use of their income but have allowed their balances to accumulate, whereas the District Boards are wanting in funds even to meet their recurring expenditure.

Even though some of the shandies in the District are accidentally held in Village Panchayet areas, the people that assemble there are not of one single village but from different villages. Hence the question is one affecting the public of the District in general as against that of a single Panchayet.

Under the circumstances, I would submit that it is not fair to apportion any portion of the collections from the Shandies held in Village Panchayets areas to the concerned Village Panchayets.

I have the honor to be,
Sir,
Your most obedient servant,

H. B. [illegible]
President,
District Board, Hassan.

N Dis. P.R. 167-30
13.9.31

Forwarded with compliments. Ley
Opinion has already been furnished with Ley
Letter No C.905-30 dated 15.4.1931.

[illegible]
Dy Deputy Commissioner
12.9.31.
Hassan District
12.9.31

14 Order:— dt 39 4c

The principle of sharing ~~apparent~~
of the Shanbog fees in some proportion
between the DBds and Village
Panchayets has been recognised
by Govt and orders have been issued
in the matter in their order no
341-58 V. P. 50-27-3 dt 6/2/29 and each case has accordingly
to be dealt with on its merits.
Government Consider that Krishnarajapuram
is an important road-side Village
and the Village Panchayet have no funds for their
ordinary work and therefore direct, under section(1) of the
that one-fourth of the net collections
~~of~~ be made over by the
District Board to the Village
Panchayet of Krishnarajapuram

14/11/31 General Secy to Govt

To
The President DBd Bangalore
(thro DC Bangalore)
The DC Bangalore.
The Rev-commr in Mysore
The Comptroller to Govt

Appendix F G–3]

SUBJECT.....

47

Section V. P

File No. 26-29

Serial No. 32

Diary No. of letter replied to.....

Proceedings of the Government of His Highness the Maharaja of Mysore.

General and Revenue Secretariat

( )

the *193*

Date of issue 9-1-32

Signed by M D S T

May this be

i. printed?

ii. treated as a standing order?

iii. published in the Gazette English Part?

iv. translated?

v. placed at the disposal of the press?

vi. published in the Gazette, Kannada Part?

List of enclosures.....

Copied by.....

Examined by.....

Read— Representation from the people of Krishnarajapuram, made in July 2[illegible] to the Dewan during his tour, that ... View of the very slender finances ~~position~~ of the Panchayet, the collection of the local shandy might be made over to the Panchayet to enable to carry out improvement works

2) ~~Order Thereon No.~~ Correspondence ending with ~~[illegible]~~ letter. no. L. Dis. 219-45 30-31 dated 24/11/1930, from the President DBD Bangalore, among other things, stating that it is not possible to pay the collections of the Local Shandy to the Village Panchayet of Krishnarajapur.